

REMARKS

Upon entry of the present amendment, Claims 1-25 remain in the application, of which claims 1, 15, 23, and 25 are independent. New claim 25 is added herein.

The applicant gratefully acknowledges the allowance of claims 23 and 24, and the indication that claims 2, 4-10, 12-14, and 16-22 contain allowable subject matter.

After careful consideration of the objections and rejections set forth in the Office Action, applicant respectfully submits that all pending claims patentably distinguish over the art of record, and requests allowance of all pending claims, as discussed further below.

Claim rejections – 35 USC 102

In the above-identified Office Action, the Examiner rejected claims 1 and 3 under 35 USC 102(b) as anticipated by Lagano et al (US 4,513,727). The Examiner states that Lagano discloses the claimed structure including an air intake structure with an air cleaner case 26, an air duct pipe 35, a turbocharger 18 where the turbocharger is on an opposite area of the engine 12. The Examiner further states that the intended use as a small watercraft has been given limited weight, since intended use defines no patentable structure.

The applicant respectfully disagrees with the rejection of claims 1 and 3, since Lagano does not anticipate the claimed features. The applicant notes that Lagano discloses a dual (gas and air) fuel supply system for an internal combustion engine 12 which includes an air filter 26 and turbocharger 18. The applicant submits that Lagano does not disclose a turbocharger and an air cleaner case which are separately disposed at opposite areas of the engine, as recited in claim 1. The written disclosure of Lagano is silent as to the specific relative locations of the components of the fuel supply system, especially in regards to the positions of the turbocharger and air cleaner case with respect to the engine. Furthermore, the components are only

represented schematically in Lagano's Figure 1. The applicant respectfully asserts that a schematic diagram is an illustration which is explanatory of the operation of the system, rather than representative of the actual physical location of the components of the system. As such, the schematic diagram of FIG. 1 cannot be used to assert a disclosure of the specific relative locations of the components of Lagano's supply system. Thus, the disclosure of Lagano is silent as to the specific relative locations of the components of Lagano's supply system, and therefore does not anticipate the applicant's claimed invention.

As further regards the rejection of claim 1, the applicant notes that Lagano discloses routing air from the air filter 26 via conduit 19 through the gas injection metering valve 32, and then sending a gas/air mixture to the turbocharger 18 via conduit 33. The applicant disagrees with the Examiner's statement that air duct pipe 35 routes air from the air cleaner case to the turbocharger, since Lagano discloses using air duct pipe 35 to discharge the compressed air/gas mixture from the turbocharger 18 to the engine intake manifold 14. Furthermore, Lagano does not disclose routing air from the air cleaner case to the turbocharger, but instead discloses routing an air/propane gas mixture to the turbocharger, since air is directed from the air cleaner to a gas valve where it is combined with propane gas, and then the air/propane gas mixture is routed to the turbocharger.

Claim rejections -- 35 USC 103

Also in the above-identified Office Action, the Examiner rejected claims 11 and 15 under 35 USC 103 as unpatentable over Lagano et al., in view of Korenjak et al (U.S. 6,390,869). The Examiner states that Lagano does not disclose a watercraft, but that Korenjak teach a watercraft with a turbocharger. The Examiner states that it would have been obvious to form the device of Lagano in a watercraft as taught by Korenjak for improved range of use.

As regards claims 11 and 15, the applicant disagrees with this rejection since Lagaono does not disclose the features of the invention recited in claim 1 or claim 15. The above discussion of Lagano with respect to the rejection of claim 1 is repeated herein.

The applicant further disagrees with this rejection since Korenjak discloses a turbocharger used on four-stroke three-cylinder inline gasoline engine, and modification of Korenjak to include the device of Lagano would render the engine of Korenjak inoperable. The device of Lagano is designed for use on a diesel engine and includes providing the engine a compressed propane gas/air mixture. This device is incompatible with the gasoline engine disclosed by Korenjak, which requires compressed clean air for proper operation. In addition, it would be impractical to add a propane gas storage and delivery system, as employed in the device of Lagano, to a small watercraft such as a jetski for reasons of lack of available space and personal safety during operation.

Because neither Lagano, nor the invention of Lagano as modified by Korenjak disclose or suggest the claimed invention, the applicant considers claims 1, 3, 11, and 15 to be in condition for allowance.

Other Matters

New claim 25 is added to the application herein. New claim 25 corresponds to original claim 1 amended to include the limitations of original claim 2. Because original claim 2 has been indicated to include allowable subject matter, new claim 25 is in condition for allowance.

Conclusion

Based on all of the foregoing, applicant respectfully submits that all of the objections and rejections set forth in the Office Action are overcome, and that as presently amended, all of the pending claims are believed to be allowable over all of the references of record, whether

considered singly or in combination. Applicant therefore requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

If the Examiner is not fully convinced of all of the claims now in the application, applicant respectfully requests that he telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

The Commissioner is hereby authorized to charge the \$200.00 fee for one additional independent claim in excess of three to Deposit Account 50-0744 in the name of Carrier, Blackman & Associates, P.C. A duplicate copy of this sheet is enclosed.

Favorable consideration is respectfully requested.

Respectfully submitted,

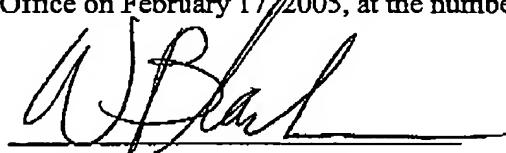


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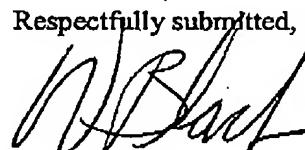
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